

Assembly (HCA) office also prompted public protests and violence. Approximately 200 people – including students, political party members and veterans from the Nagorno-Karabakh war – gathered in front of the HCA office. They forced their way into the premises, vandalizing office equipment, throwing eggs and rocks and injuring one member of staff. Police officers present throughout failed to intervene to ensure the safety of the staff members or to stop the violence. Despite the HCA's requests, additional police did not arrive until after the incident. After an investigation, one woman was fined for throwing a stone at the building, but no thorough or impartial investigation took place. The authorities failed to condemn the violence.

■ On 8 May, a gay-friendly bar in the capital, Yerevan, was attacked. Two people were caught on a security camera throwing Molotov cocktails through the windows. However, police reportedly only arrived at the scene 12 hours later to investigate the attack. Two young men were arrested as part of the investigation, but were bailed shortly afterwards by two MPs for the nationalist Armenian Revolutionary Federation – Dashnaktsutyun party (ARF). They condoned the attack, saying it was in line with “the context of societal and national ideology”. Eduard Sharmazanov, spokesperson for the ruling Republican Party and Parliamentary Deputy Speaker was quoted justifying the violent attack in local newspapers.

Torture and other ill-treatment

On 3 October, the European Committee for the Prevention of Torture published a report following their visit to Armenia in December 2011. It stated that “virtually none of the recommendations made after previous visits as regards the detention of lifers have been implemented”. The report also noted that the poor conditions at Kentron Prison in Yerevan made it unsuitable for lengthy periods of detention. The Committee found that the detention conditions of life-sentenced prisoners held at Kentron amounted to inhuman treatment.

Conscientious objectors

By the end of the year, more than 30 men were serving prison sentences for refusing to perform military service on grounds of conscience. Alternative civilian service remained under military control. On 27 November, the European Court of Human Rights, in its fourth decision against Armenia on conscientious

objection, found that Armenia had violated the rights of 17 Jehovah's Witnesses in the case of *Khachatryan and Others v. Armenia*. The Court found that the rights of the Jehovah's Witnesses to liberty and security, as well as the right to compensation for unlawful detention, had been violated. They faced criminal charges and detention because they had left their alternative service when they realized that they were under military control.

Amnesty International visits/reports

✈️ Amnesty International delegates visited Armenia in June.

📄 Armenian authorities must protect free speech and ensure safety for Azerbaijani film festival organizers (EUR 54/001/2012)

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AUSTRALIA

AUSTRALIA

Head of state:

Queen Elizabeth II, represented by
Quentin Bryce

Head of government:

Julia Gillard

Despite the establishment of a federal human rights committee to consider all new bills before Parliament, laws were passed restricting the rights of Indigenous Peoples in the Northern Territory and reintroducing a policy of offshore processing where asylum-seekers arriving by boat are sent to Nauru or Papua New Guinea.

Background

The government announced that it would ratify the Optional Protocol to the UN Convention against Torture in January 2011. However, it had not done so by the end of the year. A parliamentary human rights scrutiny committee was established in March to consider all new bills, and ensure that they included a statement of human rights compatibility.

Indigenous Peoples' rights

Aboriginal and Torres Strait Islander youth continued to be over-represented in Australia's criminal justice system. Indigenous youth accounted for 59% of the national juvenile detention rates while Indigenous Peoples as a whole only made up 2% of the total

population. Australia maintained its reservation to the UN Convention on the Rights of the Child, allowing states and territories to detain children in adult prisons.

■ In Victoria, a 16-year-old Aboriginal boy was held in an adult prison in solitary confinement for up to 22 hours per day from August to November.

■ In April, police opened fire on a suspected stolen vehicle occupied by Aboriginal youths in Kings Cross, Sydney. Two Aboriginal boys, one aged 14, were shot. An independent Ombudsman's report into the incident had not been released by December.

In June, the Stronger Futures legislation, which extended laws contained in the controversial and discriminatory 2007 Northern Territory Intervention (a series of laws including welfare changes and law enforcement in Indigenous communities), was passed without genuine consultation or scrutiny by the Parliamentary Joint Committee on Human Rights. The legislation allows for far-reaching intervention into Indigenous Peoples' lives in the Northern Territory.

In September, the government deferred the referendum on constitutional recognition of Australia's Indigenous Peoples.

Refugees and asylum-seekers

In August, legislation was passed reintroducing offshore processing of asylum-seekers. Australia's annual humanitarian intake was increased to 20,000 places in October.

Under new legislation introduced in November, asylum-seekers who arrived by boat would either be processed offshore or have fewer rights in Australia; those arriving by plane would not face such restrictions. As of 30 October, there were 7,633 asylum-seekers and refugees detained in Australia, including 797 children. More than 7,000 of these asylum-seekers were designated for offshore processing and had not started the refugee status determination process. In November, 63 refugees with negative security assessments remained in indefinite detention, including one girl and five boys.

■ As of 15 December, Australia was detaining 385 asylum-seekers, all men, on Nauru, and 47 asylum-seekers on Manus Island, Papua New Guinea, including 16 children.

AUSTRIA

REPUBLIC OF AUSTRIA

Head of state:

Head of government:

Heinz Fischer

Werner Faymann

The Criminal Code was amended to introduce the crime of torture. Concerns about racism in the criminal justice system remained. Legal safeguards for asylum-seekers were reduced.

International justice

Criminal investigations against the former Guatemalan deputy-head of police, Javier Figueroa, suspected of involvement in extrajudicial executions in Guatemala, were pending. The Austrian authorities had arrested Javier Figueroa in May 2011, after they turned down an extradition request to Guatemala.

Torture and other ill-treatment

At the end of the year the Criminal Code was amended to introduce the crime of torture, to take effect from 1 January 2013.

While welcoming the broadening of the mandate of the Austrian Ombudsman Board to work as a national preventive mechanism under the Optional Protocol to the UN Convention against Torture in August, the CERD Committee remained concerned about the independence of the Board members and recommended that their appointment fully comply with international standards.

■ In May, an official of the Ministry of the Interior apologized to Gambian citizen Bakary J., who was tortured by four police officers in 2006 following an unsuccessful deportation attempt. His residence ban was lifted. Negotiations about compensation were ongoing.

Police and security forces

After a six-year trial period, the Ministry of the Interior authorized the regular use of electro-stun devices in police operations. The Ministry qualified the devices as in principle non-lethal. However, there were reports of human rights abuses carried out with electro-stun devices in several countries and the incidence of several hundred deaths following the use of such devices, which led to calls for electro-stun devices to